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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 09/774,354
Filing Date: January 30, 2001
Appellant(s): RANK ET AL.

Wesly Ferrebee

<u>For Appellant(s)</u>

EXAMINER'S ANSWER

This is in response to the appeal brief filed 09/06/2006 appealing from the Office action mailed

11/23/2005.

1.   Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

2.   Related Appeals and Interferences

A statement identifying the related appeals and interferences which will directly affect or

be directly affected by or having a bearing on the decision in the pending appeal is

contained in the brief.

3.   Status of Claims

The statement of the status of the claims contained in the brief is correct.

4.   Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in

the brief is correct.

5.   Summary of Claimed Subject Matter

The summary of invention contained in the brief is correct.

6.   Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection is correct.

7.   **Claims Appendix**

The copy of the appeal claims contained in the Appendix to the brief is correct.

8.   **Evidence Relied Upon**

The following is listing of the evidence relied upon in the rejection of claims under

appeal:

- Schlafly   U.S. 5,471,612   November 28, 1995

- Horie et al.   U.S. 6,487,597   November 26, 2002

- Pajakowski et al.   U.S. 6,718,425   April 6, 2004

9.   **Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-4 and 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Horie et al. (U.S. Pat. No.: 6,487,597) in view of **Schlafly** (U.S. Pat. No.: 5,471,612).

As to claim 1:

Horie teaches a method in a data processing system for evaluating a spreadsheet file *(e.g.,*

a personal digital assistant and an information transmission apparatus for use with the

personal digital assistant capable of displaying data, for example, in texts or

spreadsheets; col.1, lines 8-14; see Fig.10 and the spreadsheet processing discussion,

col.9, lines 10-59; see also Figs.18-21 and the transfer of spreadsheet dada discussion,

col.11, lines 1-28) comprising:

- obtaining *(e.g., are open)* the spreadsheet file *(e.g., spreadsheet)* in a first format

  (e.g., FIG. 18 shows the spreadsheet including 7 records displayed in 7 rows (1-

  7), each record has 6 attributes (A-F) = the first format of the spreadsheet) on a

  first device *(e.g., the personal computer 10) [Transfer of Spreadsheet Data - FIG.*

  18 shows a display screen 30 of the personal computer 10. On the display screen

  30, an application program 31 (spreadsheet program in this example) and the GU

  interface 24a of the data communication program 20 are open; col.11, lines 1-6];

- converting (e.g., *an "S" command button 24f of the GU interface 24a is clicked to*

  change the first format of the spreadsheet (as displayed in FIG. 18) to a second

  format (as displayed in FIG. 21)) the spreadsheet file to a second format *(e.g.,*

  FIG. 19 shows a portion of the spreadsheet is selected for creating/changing to a

  second format (including 5 records displayed in 5 rows (1-5), each record is now

  included 4 attributes (A-D); and FIG. 21 shows the spreadsheet displayed in the

  PDA 13 with *the second format) [Transfer of Spreadsheet Data - Now, as shown*

  in FIG. 19, when the application program 31 is set as an active window and the

  range of any particular portion of a plurality of cells is specified with a mouse,

  the cells in the range are displayed in an inverted manner, as shown. When an "S"

  command button 24f of the GU interface 24a is clicked in this state, the data

  communication program (FIGS. 7 or 11) is executed, and the string of characters

within the cells of the specified range is transmitted to the PDA 13; col.11, lines

1-28]; and

- transferring *(e.g., transfer/ is transmitted)* the spreadsheet file to a second device

  (e.g., to the PDA) [Transfer of Spreadsheet Data... the data communication

  program (FIGS. 7 or 11) is executed, and the string of characters within the cells

  of the specified range is transmitted to the PDA 13... when the range of desired

  ones of a large amount of data is specified which is acquired and specified by any

  particular one of various kinds of programs on an information transmission

  apparatus (personal computer or the like), it is transmitted as a new file to the

  personal digital assistant. The personal digital assistant can receive the file,

  store it in a predetermined data area, use the file data and display the content of

  the file; col.11, lines 1-37].

Horie does teach converting a spreadsheet file form a first format to a second format.

Horie, however, does not specifically teach *"evaluating one or more formulas associated*

with the spreadsheet file while converting."

Schlafly teaches evaluating one or more formulas *(e.g., The Formula Evaluator 136*

processes the various formulas stored in a spreadsheet during spreadsheet recalculation;

col. 7, lines 34-40).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to modify the teachings of Horie with Schlafly because Schlafly's

teaching would have provided the enhanced capability for promoting the sharing of

information between the personal computer 10 and the personal digital assistant 13 *(see*

Horie; col.7, lines 22-37).

As to claim 2:

Horie teaches the first device is a computer *(e.g., a personal computer 10; col.4, lines 1-2*

& Fig.1).

As to claim 3:

Horie teaches the second device is a small device *(e.g., PDA 13; col.4, line 5 and Fig.1).*

As to claim 4:

Horie teaches the small device is a PDA *(e.g., PDA 13; col.4, line 5 and Fig.1).*

As to claims 10-13:

Note the rejection of claims 1-4 above. Claims 10-13 are the same as claims 1-4, except

claims 10-13 are computer program product claims and claims 1-4 are method claims.

Claims 5-9 and 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Horie et al. in view of **Schlafly** as applied to claims 1 and 10 above, and further in view

of **Pajakowski et al** (U.S. Pat. No.: 6,718,425).

As to claim 5:

The combination of Horie and Schlafly does teach converting a spreadsheet file form a

first format to a second format. The combination, however, does not specifically teach

the use of a conduit.

Pajakowski teaches the use of a conduit *(e.g., conduit software ... to convert; col.46, lines*

55-64).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine Pajakowski with Horie as modified by Schlafly because

Pajakowski's teaching would have provided the enhanced capability for translating and

moving data from the personal computer 10 and the personal digital assistant 13.

As to claim 6:

Horie does not specifically teach *"gathering the one or more formulas."*

Schlafly teaches gathering the one or more formulas *(col.15, lines 1-30).*

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to modify Horie with Schlafly because Schlafly's teaching would

have provided the capability for improving the speed with which electronic spreadsheets

perform recalculation of spreadsheets.

As to claim 7:

Horie does not specifically teach *"evaluating the formulas by the conduit."*

Schlafly teaches evaluating the formulas *(e.g., Formula Evaluator ... compiling*

spreadsheet formulas; Abstract). Schlafly, however, does not specifically teach the use of

conduit.

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine the teachings of Horie with Schlafly because it would

have increased the speed of transmission of the spreadsheet from the personal computer

to the personal digital assistant.

Refer to discussion of claim 5 above for rejection regarding to the use of a conduit.

As to claim 8:

Horie teaches compiling code that is readable by a small device *(col.7, lines 36-52).*

As to claim 9:

Horie does not specifically teach *"parsing the formulas."*

Schlafly teaches parsing the formulas *(see Abstract)*.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Horie with Schlafly because Schlafly's teaching would have provided the enhanced capability for promoting the sharing of information between the personal computer 10 and the personal digital assistant 13 *(see Horie; col.7, lines 22-37)*.

As to claims 14-18:

Note the rejection of claims 5-9 above. Claims 14-18 are the same as claims 5-9, except claims 10-13 are computer program product claims and claims 5-9 are method claims.

10.   **Response to Arguments**

Beginning on page 5 of the brief, Appellants argues the following issues, which are accordingly addressed below:

a.   Appellants argued that the combination of Horie and Schlafly does not teach

"converting the spreadsheet file to a second format wherein the converting

further comprises evaluating one or more formulas associated with the

spreadsheet file while converting the spreadsheet file to the second format

[Argument, page 5].

The Examiner respectfully disagrees with Appellants. As detailed in the rejection

of claim 1 as clarified above, Horie discloses converting (e.g., *an "S" command*

button 24f of the GU interface 24a is clicked to change the first format of the

spreadsheet (as displayed in FIG. 18) to a second format (as displayed in FIG.

21) the spreadsheet file to a second format *(e.g., FIG. 19 shows a portion of the*

spreadsheet is selected for creating/changing to a second format (including 5

records displayed in 5 rows (1-5), each record is now included 4 attributes (A-D);

and FIG. 21 shows the spreadsheet displayed in the PDA 13 with *the second*

format) [Transfer of Spreadsheet Data - Now, as shown in FIG. 19, when the

application program 31 is set as an active window and the range of any

particular portion of a plurality of cells is specified with a mouse, the cells in the

range are displayed in an inverted manner, as shown. When an "S" command

button 24f of the GU interface 24a is clicked in this state, the data communication

program (FIGS. 7 or 11) is executed, and the string of characters within the cells

of the specified range is transmitted to the PDA 13; col.11, lines 1-28]. Schlafly is

combined with Horie to teach evaluating one or more formulas associated with

the spreadsheet file while converting the spreadsheet file to the second format

e.g., The Formula Evaluator 136 processes the various formulas stored in a

spreadsheet during spreadsheet recalculation; col. 7, lines 34-40).

b.   Appellants recited col.2, lines 60-67 and col.4, lines 1-10 in Schlafly which state:

Before meaningful results of a given spreadsheet may be presented to a user, the formulas of a given spreadsheet must first be evaluated or recalculated. "Recalculation" is the process by which a spreadsheet's cells, particularly formula-storing ones, are evaluated to express values. Different recalculation orders are well known including, for instance, natural, rowwise, and columnwise. Each will be reviewed in turn.

...

The present invention comprises an electronic spreadsheet system having a preferred interface and methods for compiling spreadsheet formulas into native machine instructions. The system includes a Formula Evaluator for compiling a given spreadsheet formula into a machine language sequence to be executed by the target processor/coprocessor. In this manner, the system may perform recalculation of spreadsheet formulas in substantially less time than is required by prior art, token-based interpreter systems.

and argued that *"[S]ee column 4, lines 1-10 of Schlafly. Thus, Schlafly indicates*

that formula evaluation is performed after compilation or conversion. By

converting the formula prior to evaluation, evaluation or recalculation may be

performed more quickly. Accordingly, Schlafly does not teach or suggest

converting while evaluating" [Argument, page 5].

The Examiner respectfully disagrees with Appellants. The above cited portions

shows Schlafly does not indicate *that formula evaluation is performed after*

compilation or conversion. In fact, Schlafly teaches converting while evaluating.

c.   Appellant argued that Horie fails to teach or suggest the *"while' limitation* [Argument, page 5].

In response, as detailed in the rejection of claim 1 as clarified above, Schlafly is combined with Horie to teach evaluating while converting *(e.g., The Formula Evaluator 136 processes the various formulas stored in a spreadsheet during spreadsheet recalculation; col. 7, lines 34-40).*

d.   Appellants argued *"[N]owhere does Horie suggest that anything other than conversion is performed during the conversion process. Thus, Horie also cannot be relied upon to teach or suggest that formula evaluation is performed while converting the spreadsheet file"* [Argument, page 6].

In response, the rejection of claim 1 as clarified above shows how the combination of Horie and Schlafly meet the claim limitations.

e.   Appellants argued that *"[T]here Is No Motivation To Combine the Cited References"* [Argument, page 7].

In response, the rejection of claim 1 above is modified to clarify the rejection and provide a proper motivation for combining the references.

11.   Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related

Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.
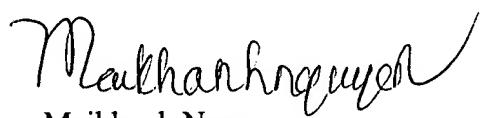
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